

REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-2 and 11-12 are currently pending.

According to the Office Action, claims 1-2 and 11-12 are rejected under 35 U.S.C. § 103(e) as being unpatentable over United States Patent No. 7,003,298 to Jagadeesan et al. in view of United States Patent No. 6,654,615 et al. Applicants have carefully reviewed the cited reference and the comments recited in the Office Action and traverses the rejection. Applicants have previously described the claimed invention and the Jagadeesan and those comments are incorporated here and continued. As stated, both the claimed wireless communication unit and the network switch include a controller that manages and retrieves an on-hold call on the first communication network after the wireless communication unit is handed out from the first communication network to the second communication network. The on-hold call is managed and retrieved via a call leg established to support the on-hold call while the wireless communication unit is operating in the second communication network. In other words, the wireless communication unit is able to access and manage a call that is maintained on the first network while the wireless communication unit is connected to the second network.

As found in the claims, the present invention is for an on-hold call that remains on the first communication unit. Moreover, the on-hold call is managed on the first communication network by a call leg while the wireless communication unit is operating in the second communication network. In other words, the call leg maintains a connection to the first communication network when the wireless communication network is in the second communication network. This call leg's purpose is to support the on-hold call in the first communication.

Jagadeesan is directed to devices, software methods that hand off a live call from an original leg of a first modality (such as a Circuit Switched Voice) to an alternate leg of another modality (such as Voice over Internet Protocol.) Chow is directed to method and system for providing a novel wireless centrex service that untethers subscribers from the immobility associated with traditional desktop telephones. A wireless telephone

subscriber can use a standard cellular/PCS telephone as a wireless extension of their desktop phone, while in the proximity of a miniature radio base station capable of communicating with the PCS/cellular telephone.

According to the Office Action, Chow teaches that a controller can be arranged to “control and cooperatively operate with a transceiver to manage and retrieve an on-hold call.” See column 34 line 50 to column 35, line 9 and column 42, lines 22-34. These sections, among many passages, of Chow do discuss how a call can be put on-hold and the features of on-hold calls. In fact, it appears from the first citation that a special scenario is described where the call is put on-hold before it has been answered by the called party. (“The call hold feature of the present invention enables existing wireless handsets to provide a user with the ability to interactively place an incoming call on hold in real time without first answering the call. . . . According to one such embodiment, the calling party can be couple to, for example a voice processing unit (VPU) to receive a message that indicates the call is on hold and the called party (WCS subscriber) will be with them shortly.” Column 34, lines 50-61.) The second citation describes the ability of a calling party to use the call hold feature to transfer to a voice mail system. (“For example, when a call is on hold the VPU 1235 can notify the calling party the [sic] they may leave a message on the called party voice mail by entering a particular set of key strokes” Column 42, lines 25-28.) Both of the sections describe special features within the call hold capabilities of the communication systems described by the Chow. There is nothing to suggest that these call hold features provide any assistance when the call is placed on hold when the called party is in a first communication system and then handed out to second communication system. Nonetheless, the Office Action cites these sections for describing the claimed call leg to support the on-hold call. Applicants respectively traverse this interpretation of Chow. None of the cited sections, or any of Chow, describe a call leg, and a reading of the paragraphs surrounding both citations does not describe a call leg that is required by the claims and that performs claimed functions. In fact, these descriptions are limited to various features call hold features and do not concern themselves with how a called party moving between one communication system to another communication system.

Chow is also cited for describing a handout. See column 26, lines 19-37. This citation does describe a handout, but there is no further information about the claimed call leg that supports an on-hold call as required by the claims during a handout. In fact, this citation teaches away from providing such a support when it is stated that that the described handoff is complete, column 26, lines 33-37. There is no indication that Chow supports an on-hold in the first communication network when the call is handed out to a second communication network.

In view of the foregoing, it is respectfully submitted that Jagadeesan and Chow do not disclose, teach or otherwise suggest many of the claim limitations. In particular, it is respectfully submitted that the combination of Jagadeesan and Chow do not make the association of the controller managing a retrieving an on-hold call on the first communication network after a handout of the wireless communication unit from the first communication network to the second communication network via a call leg that is established to support the on-hold call while the wireless communication unit is operating in the second communication unit. At best, the combination of Jagadeesan and Chow disclose a controller, an on-hold call, a call leg and a handout, but not how to combine these elements into the claimed invention. These very elements were known by the Applicants, but Applicants determined a novel and non-obvious way to manage and retrieve the on-hold call in the first communication network when the wireless communication unit is in the second communication network.

In view of the foregoing, Applicants therefore respectfully submit that the present invention as expressed in independent claims 1 and 11 is patentable and non-obvious over the cited combination. As claim 2 depends on claim 1 and claim 12 depends on claim 11, Applicants also submit that these dependent claims are patentable over Jagadeesan and Coombes for the same reasons. Applicants request that the rejection under Section 103(a) be withdrawn.

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the

Serial No. 10/727,433

Belkin et al

Case No. CE10865R

opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to **50-2117**.

Respectfully submitted,
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